

ORDINANCE NO. 770310-B

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) LOTS 7 AND 8 AND ONE-HALF OF VACATED ALLEY, BLOCK 138, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 401-407 EAST 12TH STREET AND ALSO BOUNDED BY TRINITY STREET, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, THIRD HEIGHT AND AREA DISTRICT; AND,

(2) TRACT 1: A 6.90 ACRE TRACT OF LAND, FROM "BB" RESIDENCE DISTRICT TO "A" RESIDENCE DISTRICT, SAVE AND EXCEPT A 45 FOOT "O" CORRIDOR, CONTAINING 1.646 ACRES OF LAND, AND BEING DESCRIBED AS TRACT 2 BELOW; AND,

TRACT 2: A 1.646 ACRE TRACT OF LAND, FROM "A" RESIDENCE DISTRICT AND "BB" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;

SAID PROPERTY BEING LOCALLY KNOWN AS 4613-4717 McCARTY LANE, AND ALSO BEING BOUNDED BY ONE OAK ROAD; AND,

(3) LOT 2, SAVE AND EXCEPT THE SOUTHERN FIFTEEN FEET ALONG EAST 56 1/2 STREET, RESUBDIVISION OF LOT 40, DUVAL HEIGHTS, LOCALLY KNOWN AS 922-932 EAST 56 1/2 STREET AT BENNETT AVENUE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,

(4) LOTS 7 THROUGH 10, BLOCK 100, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 303-305 WEST 9TH STREET (HIRSHFELD HOMES), FROM "C" COMMERCIAL DISTRICT TO "C-H" COMMERCIAL-HISTORIC DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from "B" Residence, Second Height and Area District to "C" Commercial, Third Height and Area District on the property described in File C14-77-002, to-wit:

Lots 7 and 8 and one-half of vacated alley, Block 138,
Original City of Austin, as recorded in Volume 3864,
at Pages 1 and 2, of the Deed Records of Travis County,
Texas,

locally known as 401-407 East 12th Street, and also bounded by Trinity Street,
in the City of Austin, Travis County, Texas.

PART 2. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designations on the property described in File C14-77-007, to-wit:

Tract 1: From "BB" Residence District to "A" Residence
District.

A 6.90 acre tract of land, SAVE AND EXCEPT a 45 foot "O"
corridor, containing 1.646 acres of land, and being
described as Tract 2 below, in the Thomas Anderson Survey
No. 17, in Travis County, Texas, being a portion of two
tracts of land conveyed to J. W. Smith as follows:

- (1) A 139.00 acre tract of land of record in Volume 5079, at Page 294, of the Deed Records of Travis County, Texas; and,
- (2) A 78.13 acre tract of land of record in Volume 5079, at Page 307, of the Deed Records of Travis County, Texas;

said 6.90 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin set in the proposed right-of-way of McCarty Road and from said Beginning Point the following courses and distances:

THENCE, S 76° 29' E 185.00 feet to a point;

THENCE, S 13° 31' W 150.00 feet to a P. C.;

THENCE, along a curve to the left with a 518.38 foot radius and whose longchord bears S 05° 01' W 153.24 feet to the P. T.;

THENCE, S 03° 29' E 230.98 feet to a point;

THENCE, S 12° 03' E 515.15 feet to a P. C.;

THENCE, along a curve to the left with a 306.64 foot radius and whose longchord bears S 35° 42' E 246.10 feet to the P. T.;

THENCE, S 59° 22' E 84.00 feet to a point;

THENCE, S 30° 38' W 185.00 feet to a P. C.;

THENCE, along a curve to the right with a 15.00 foot radius and whose longchord bears S 75° 38' W 21.21 feet to the P. T.;

THENCE, N 59° 22' W 69.00 feet to a P. C.;

THENCE, along a curve to the right with a 506.64 foot radius and whose longchord bears N 35° 42' W 406.61 feet to the P. T.;

THENCE, N 12° 03' W 415.19 feet to a P. C.;

THENCE, along a curve to the right with a 1,561.64 foot radius and whose longchord bears N 00° 44' E 691.07 feet to the P. T.;

THENCE, N 13° 31' E 10.00 feet to a P. C.;

THENCE, along a curve to the right with a 15.00 foot radius and whose longchord bears N 58° 31' E 21.21 feet to the POINT OF BEGINNING; and,

TRACT 2: From "A" Residence District and "BB" Residence District to "O" Office District.

A 1.646 acre tract of land in the Thomas Anderson League Survey No. 17, in Travis County, Texas, being a part of that 78.13 acre tract conveyed to J. W. Smith from A. L. Brodie by deed recorded in Volume 5079, at Page 307, of the Deed Records of Travis County, Texas, and being a part of that 139.00 acre tract conveyed to J. W. Smith from Olla Belle Dahlstrom by deed recorded in Volume 5079, at Page 294, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING for reference at an iron pin found at the common lot corner of Lots 7 and 8, Block "A," of Western Oaks I-A, a subdivision in the City of Austin, Texas, as recorded in Book 73, at Page 4, of the Plat Records of Travis County, Texas, said point being in the west right-of-way line of One Oak Road, a public street in said subdivision;

THENCE, N 77° 57' E 64.00 feet to the P. C. of a curve to the right on the east right-of-way line of said One Oak Road;

THENCE, along said curve to the right (Elements: $I = 25^{\circ} 34'$, $R = 1,561.64$ feet, $T = 354.32$ feet, $A = 696.84$ feet, $C = 691.07$ feet), N 11° 35' E, a subchord distance of 25.41 feet to the Point of Beginning;

THENCE, along said curve to the right, N 10° 18' W, a subchord distance of 45.00 feet to a point on said curve;

THENCE, N 79° 42' E 200.02 feet to a point in a curve to the right;

THENCE, along said curve to the right (Elements: $I = 25^{\circ} 34'$, $R = 1,361.64$ feet, $T = 308.94$ feet, $A = 607.59$ feet, $C = 602.56$ feet), N 01° 34' E, a subchord distance of 515.15 feet to a point in the curve;

THENCE, S 76° 29' E 50.01 feet to a point in a curve to the left;

THENCE, along said curve to the left (Elements: $I = 25^{\circ} 34'$, $R = 1,311.64$ feet, $T = 297.60$ feet, $A = 585.28$ feet, $C = 580.44$ feet), the following subcurve courses:

- (1) S 01° 37' W a subchord distance of 491.89 feet to a point;
- (2) S 10° 18' E a subchord distance of 50.44 feet to a point;
- (3) S 11° 43' E a subchord distance of 15.02 feet to the P. T. of said curve;

THENCE, S 12° 03' E 415.19 feet to the P. C. of a curve to the left;

THENCE, along said curve to the left (Elements: $I = 47^{\circ} 19'$, $R = 256.64$ feet, $T = 112.43$ feet, $A = 211.94$ feet, $C = 205.97$ feet), S 35° 42' E, a chord distance of 205.97 feet to the P. T. of said curve;

THENCE, S 59° 22' E 34.00 feet to a point;

THENCE, S 30° 38' W 50.00 feet to a point;

THENCE, N 59° 22' W 34.00 feet to the P. C. of a curve to the right;

THENCE, along said curve to the right (Elements: I = 47° 19', R = 306.64 feet, T = 134.34 feet, A = 253.23 feet, C = 246.10 feet), N 34° 42' W a chord distance of 246.10 feet to the P. T. of said curve;

THENCE, N 12° 03' W 415.19 feet to the P. C. of a curve to the right;

THENCE, along said curve to the right (Elements: I = 25° 34', R = 1,361.64 feet, T = 308.94 feet, A = 607.59 feet, C = 602.56 feet), N 11° 39' W a subchord distance of 19.30 feet to a point in the curve;

THENCE, S 79° 42' W 200.02 feet to the POINT OF BEGINNING,

locally known as 4613-4717 McCarty Lane, and also bounded by One Oak Road, in the City of Austin, Travis County, Texas.

PART 3. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "A" Residence District to "O" Office District on the property described in File C14-77-003, to-wit:

Lot 2, SAVE AND EXCEPT the southern fifteen (15) feet along East 56 1/2 Street, Resubdivision of Lot 40, Duval Heights, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of record in Book 15, at Page 58, of the Plat Records of Travis County, Texas,

locally known as 922-932 East 56 1/2 Street at Bennett Avenue, in the City of Austin, Travis County, Texas.

PART 4. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "C" Commercial District to "C-H" Commercial-Historic District on the property described in File C14h-74-019, to-wit:

Lots 7 through 10, Block 100, Original City of Austin, as recorded in Volume 5694, at Page 337, of the Deed Records of Travis County, Texas,

locally known as 303 and 305 West 9th Street (Hirshfeld Homes), in the City of Austin, Travis County, Texas.

PART 5. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

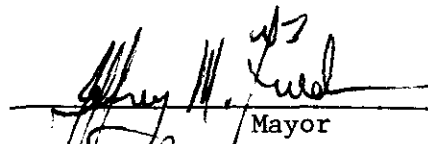
PART 6. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

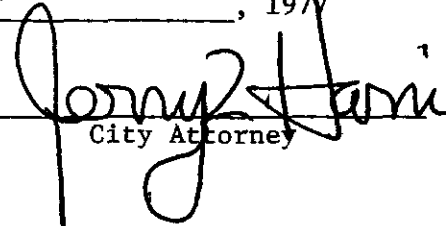
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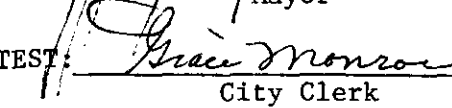
Y
Y
Y
Y
Y


Mayor

APPROVED:


City Attorney

ATTEST:


City Clerk

09MAR77

JM:vs